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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jun MORI et al.

Group Art Unit: 1614

Application No.: 10/579,055

Examiner: A. LEWIS

Filed: May 11, 2006

Docket No.: 128006

For: PERCUTANEOUS ABSORPTION TYPE CEREBRAL PROTECTIVE AGENT

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the March 5, 2009 Office Action, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-15 are pending in this application. Non-elected claims 1-10 are withdrawn from consideration by the Examiner.

I. Rejection Under 35 U.S.C. §103

The Office Action rejects claims 11-15 under 35 U.S.C. §103(a) as having been obvious over the combination of JP 61-263917 to Nishi et al. ("Nishi") and JP 10-265373 to Koide et al. ("Koide"). Applicants respectfully traverse the rejection.

Claim 11 recites "administering to a patient a percutaneous absorption type pharmaceutical composition that comprises . . . 3-methyl-1-phenyl-2-pyrazolin-5-one . . . or a medically acceptable salt thereof . . . in a base" (emphasis added). Applicants respectfully submit that the combination of Nishi and Koide do not disclose and would not have rendered